

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

WADE STROUD,

Plaintiff,

v.

Civil Action No. 3:14CV130

PIEDMONT CANDY CO., INC.,

Defendant.

**MEMORANDUM OPINION**

By Memorandum Order entered on March 19, 2014, the Court conditionally docketed the action. Wade Stroud requested leave to proceed in forma pauperis. By Memorandum Order entered on April 18, 2014, the Court directed Stroud to pay an initial partial filing fee of \$12.28 or state under penalty of perjury that he did not have sufficient assets to pay such a fee within eleven (11) days of the date of entry thereof. See 28 U.S.C. § 1915(b)(1). Stroud has neither paid the initial partial filing fee nor averred that he cannot pay such a fee. Therefore, Stroud is not entitled to proceed in forma pauperis. Stroud's disregard of the Court's directives warrants dismissal of the action. Accordingly, the action will be dismissed without prejudice.

Should Stroud desire to appeal, a written notice of appeal must be filed with the Clerk of the Court within thirty (30) days of the date of entry hereof. Failure to file a notice of

appeal within that period may result in the loss of the right to appeal.

The Clerk is directed to send a copy of the Memorandum Opinion to Stroud.

/s/ REP  
Robert E. Payne  
Senior United States District Judge

Date: *May 19, 2014*  
Richmond, Virginia